(3)

C.S.102

IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.No. 2125 /2004

Petitioner - Dr. K. P. Chandrakar
Asstt.Surgeon,
Roll No. 10401 PPG-2004
Aged 48 years, s/o Late Yadav Ram Chandrakar
Village - Iraguda
Post - Sikosa, Tah. & Distt.Durg.

Versus.

Respondents - (1) State Govt. of C.G.
Thro' The Secretary (Health Service)
D.K.S.Bhawan, Raipur.

(2) Directorate of Medical Education
C.G. Thro' The Director, Health Service, C.G.
D.K.S. Bhawan, Raipur.

P.R. No. 2156/04
Presented by Shri R.S. Shrivastava
dated 9-7-04

Writ petition under Article 226/227 of Constitution of of India.

(36)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 2125/2004 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

25/08/2004

Shri N.L. Shrivastava, counsel for the petitioner.

Shri N.K. Agarawal, Deputy Advocate General for the State.

Heard on admission.

By this writ petition under Article 226/227 of the Constitution of India, the petitioner has challenged the action of respondent whereby weightage of 10 marks has been given to the candidates who have served two years in the rural area, in pursuant to this Court's order dated 02/07/2004 passed in Writ Petition No.1248/2004.

Petitioner's case is that he has served more than twenty years in the rural area, therefore, looking to his length of service in the rural area he ought to have been given weightage of 100 marks. Therefore, giving weightage of 10 marks to those candidates who have served two years in the rural area, the interest of the petitioner has been adversely affected.

At the outset, it is necessary to mention that the petition of the petitioner is totally misconceived. The writ petition No.1248/2004 was filed by those candidates who had served in the rural area in compliance of the Pre-PG Rules, 2002 and after framing new of Rules, 2004, their claim was totally ignored, that is why Division Bench of this Court in the above writ petition passed an order on 02/07/2004 that in view of the fact that petitioners who had served in the rural service as per Rules, 2002 there was reservation in their favour to appear in the Pre-PG Examination. But, after framing of the new Rules in 2004, no such provision was kept in their favour. Therefore, in the circumstances, in view of the Pre-PG Rules, 2002, it was directed that all those candidates who had completed two years rural service, they should be given weightage of 5% marks. As the Pre-PG Examination of 2004 was of

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(37)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.-2125/2004 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

200 marks, the State Government in view of the order dated 2/7/2004 issued an order on 03/07/2004, whereby weightage of 5% marks was given. It was not like that 5% marks were to be given on each year service to those candidates who had served in the rural area. But, it was directed that weightage of 5% of total marks should be given.. As Pre-PG Examination 2004 was of 200 marks, therefore, weightage of 10 marks was given to those candidates who had completed two years or more service in the rural area before appearing in the examination. Therefore, the ground raised by the petitioner has no force and the petition is liable to be dismissed and it is hereby dismissed.

In view of this order, M.W.P.No.1905/2004 stands disposed of.

Sd/-
L.C.BHADOO
Judge

[पीछे देखिये